

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

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SILAS CALHOUN and EMILY CALHOUN,  
Individually and as Parents and Next Friends  
of ESTELLA CALHOUN,

Plaintiff,

v.

UNITED STATES OF AMERICA

Defendant.

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**Civil Action No. 04-10480-RGS**

**JOINT MOTION FOR ENLARGEMENT OF TIME  
TO COMPLETE DISCOVERY**

The parties, by and through their attorneys, hereby move this Court for an enlargement of time to complete discovery. Good cause exists for this motion.

As reported previously, the subject minor plaintiff and her parents do not reside in the jurisdiction, but in Hawaii due to Silas Calhoun's active duty in the armed forces. Although the parties have completed substantial fact and expert discovery and depositions, the case involves complex medical issues that have required additional time to carry out the expert phase of discovery, including expert testing and evaluation of the minor plaintiff in Hawaii, and the completion of educational needs evaluations. For these reasons the following adjustments to the completion of discovery are proposed.

1. Defendants' expert disclosures by February 9, 2007.
2. Expert discovery completed by April 6, 2007.
3. Motions for summary disposition due by May 4, 2007.
4. Hearing on motions for summary disposition and pretrial conference by June 15, or at Court's discretion.

This Motion is made in good faith and is not made to delay the action, or for any other improper purpose.

For the Plaintiffs,

Silas and Emily Calhoun,  
Estella Calhoun,

For the Defendant,

UNITED STATES OF AMERICA

MICHAEL J. SULLIVAN  
United States Attorney

<u>/s/ Michael S. Appel 12/14/2006 (By: APG)</u> Michael S. Appel, BBO# 543898 Anthony V. Agudelo, BBO# 642260 Sugarman, Rogers, Barshak & Cohen, P.C. 101 Merrimac Street, 9 <sup>th</sup> Floor Boston, MA 02114 617-227-3030 (Voice) 617-523-4001 (Fax) <a href="mailto:appel@srbc.com">appel@srbc.com</a>	By: <u>/s/ Anton P. Giedt 12/14/2006</u> Anton P. Giedt Assistant U.S. Attorney 1 Courthouse Way Boston, MA 02210 617-748-3309 (Voice) 617-748-3971 (Fax) <a href="mailto:anton.giedt@usdoj.gov">anton.giedt@usdoj.gov</a>
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**CERTIFICATE OF SERVICE**

Suffolk, ss.

Boston, Massachusetts  
DATE: December 14, 2006

I, Anton P. Giedt, Assistant U.S. Attorney, do hereby certify that I have this day served a copy of the foregoing upon the Plaintiffs' counsel of record by Electronic Filing.

/s/ Anton P. Giedt  
Anton P. Giedt  
Assistant U.S. Attorney

**PLAINTIFFS' COUNSEL:**

Michael S. Appel  
Anthony V. Argudelo  
Sugarman, Rogers, Barshak & Cohen, P.C.  
101 Merrimac Street  
Boston, MA 02110  
617-227-3030 (Voice)  
617-523-4001 (Fax)  
[appel@srbc.com](mailto:appel@srbc.com)

**AGENCY COUNSEL:**

Joseph Pollard, Captain, USAF  
U.S. S Department of the Air Force  
Air Force Legal Services Agency  
1501 Wilson Boulevard, Room 835  
Arlington, VA 22209-2403  
703-696-9020 (Voice)